

PAMPHLET

ORDERED TO BE PRINTED BY

THE VETERANS

OF THE

FUR TRADE ASSOCIATION

SHOWING

Their Ownership of 7,455,552 Acres of Land

BEING

The One-Tenth of Lord Selkirk's Estate,

IN THE COUNTRY FORMERLY KNOWN AS THE

DISTRICT OF ASSINIBOIA.

1906 :

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OF THE
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Prince Albert, Sask., 30th October, 1905.

"I have watched the wanderings of the human families in all ages. I have noticed the numerous colonies they have formed in different parts of the world. I have been struck by the courage and adventure of the Gauls and the Romans when they took possession of new countries. I have watched the progress of the Greeks up the Black Sea, when they sought to extend their dominion, and when they landed on the islands of the West, and of the Tyrians when they took possession of Carthage. But, of all the bold efforts ever made to call civilization into existence, none ever exceeded the daring enterprise of Lord Selkirk, when he planted a Colony on the Red River of the North."

ARCHDEACON JAMES HUNTER, M.A.

THE VETERANS OF THE FUR TRADE

OR

The Retired Servants of The Hudson's Bay Company.

To all whom it may concern :

At a meeting of the Veterans of the Fur-Trade Association held in the office of A. S. Stewart, Esq., in the City of Prince Albert on the 12th September, 1905, the following resolution was passed, viz.:

"That a pamphlet setting forth our claims be prepared as soon as possible by the Chairman."

In accordance with the above resolution, I shall now attempt to give a statement of (a) the grant of land from the Hudson's Bay Company to Lord Selkirk; (b) the grant of land that was set apart by the Hudson's Bay Company and Thomas, Earl of Selkirk, for the retired servants of the Hudson's Bay Company on the 12th June, 1811, and (c) the Public Books of Assiniboia that were lost on the 24th August, 1870, the day that Sir Garnet Wolseley took possession of Upper Fort Garry.

In order that we may rightly understand the question we are about to deal with, we must raise the curtain that hides the past history of this country and take a glance over the 59 years that preceded the transfer of Rupert's Land, the North-West Territories, and the District of Assiniboia, to Canada. We shall, therefore, commence at the year 1811.

DEED OF 74,555,520 ACRES TO LORD SELKIRK.

On the 12th June, 1811, the Hudson's Bay Company, under the au-

thority of the Royal Charter granted to them on the 2nd May, 1669 by King Charles the Second executed a deed in London, England, by which they transferred to Thomas, Earl of Selkirk, a tract of land in this country, containing 116,493 superficial miles, or 74,555,520 acres, exclusive of water. A portion of this land thus deeded now forms the Province of Manitoba, and another portion is included in the new Province of Saskatchewan. The Western boundary line as defined upon the map accompanying the deed, runs through old Fort Carlton, in Saskatchewan.

One of the objects in view for conveying these lands to the Earl of Selkirk, was for the purpose of establishing a British colony in the country known thereafter as the District of Assiniboia.

In this deed of 1811 it was, and is, expressly provided that one-tenth of the said 74,555,520 acres be set apart for free grants, to be from time to time given to the retired servants of the Hudson's Bay Company, settling in the country, the quantity of land to be given to such servant being according to his rank or grade in the service. In other words, the deed provided that nine-tenths of the land would belong to Lord Selkirk and his heirs forever, and one-tenth of the land would belong to the retired servants of the Hudson's Bay Company, "and for no other use, intent or purpose whatsoever."

Out of this one-tenth of the grant to Selkirk, an ordinary laborer was entitled, after serving the Hudson's Bay Company three years, to 200 acres, while a master of a trading post, or one holding equal rank with him was entitled to 1000 acres.

After the granting of this deed in 1811, when the Hudson's Bay Company were hiring servants, it was very often specified in their contracts that at the expiration of their term of service, a free grant of land would be given to each servant settling in the country, and many servants were hired and settled in the country by reason of this inducement. Many such retired servants received their grants of land, and many did not, and have not to this day.

On the 18th July, 1817, Lord Selkirk made a treaty with the Indians at the forks of the Red River, now the City of Winnipeg. By this treaty the Indians ceded to King George the Third, two miles deep on each side of the river, except at Fort Douglas and Fort Daer, where they ceded six miles, measuring from each fort on every side.

On the 8th April, 1820, Lord Selkirk died at Pau, in France.

Under his will, dated 7th August, 1819, and which will was proved, approved, and registered in the Prerogative Court of Canterbury, on the 6th June, 1820, Lord Selkirk willed his ungranted lands in the District of Assiniboia to his son Dunbar James Douglas, commonly known as Lord Daer, Lord Selkirk appointed eight persons as his executors, four of these refused to act, viz., Peter Wedderburn, Sir James Hall, Dugald Stewart, and Peter Halkett. On the 1st July, 1820, these four executors above mentioned transferred their powers as executors to Sir James Montgomery, Adam Maitland, Andrew Colville, and John Halkett, the

four acting executors.

On the 19th May, 1823, the acting executors of the will of Lord Selkirk appointed Sir George Simpson, then Governor of the Fur Trade in Rupert's Land, and Robert Parker Pelly, then Governor of the Fur Trade in the District of Assiniboia, Attorneys for the said executors, for the purpose of granting or selling any part of Selkirk's estate in the District of Assiniboia. These attorneys thereafter granted and sold lands in the District of Assiniboia in behalf of the estate of the said Thomas, Earl of Selkirk, and not as the property of the Hudson's Bay Company.

THE GOVERNMENT OF ASSINIBOIA.

On the 4th September, 1812, peaceable possession of the District of Assiniboia was granted by William Hillier, one of the attorneys appointed for that purpose, to Miles Macdonell, who was duly authorized to receive the same for the use of the Earl of Selkirk, his heirs and assigns according to the form and effect of the deed given by the Hudson's Bay Company on the 12th June, 1811.

From the 4th September, 1812, up to the year 1835, the District of Assiniboia was governed by a Governor appointed from time to time by the acting executors, with the help of a sufficient number of police.

In the year 1835 the settlers were asked by the attorney of the executors, Sir George Simpson, to help him to place the Government upon a different footing. There were at that time 5,000 people in the colony, in the District of Assiniboia. A Government was then formed, consisting of fifteen members, and known thereafter as "The Government of The Governor and Council of Assiniboia."

At this date Sir George Simpson's rank in the Hudson's Bay Company's service was Governor-in-Chief of the Fur Trade of Rupert's Land, but by virtue of a power of attorney from Lord Selkirk's executors he became the Civil Governor of the District of Assiniboia, and in his absence from Fort Garry he appointed from time to time in his stead, as Civil Governor of Assiniboia, the Governor of the Hudson's Bay Co's Fur Trade in Assiniboia, to which the people did not object.

We now come to a matter which should be of intense interest to every person in the Dominion of Canada, viz.:—

"The Hudson's Bay Company have never been able to show a title from Thomas, Earl of Selkirk, or his executors, or their attorneys, or the heirs of Thomas, Earl of Selkirk, and none of them, as far as has been made known, to us, have at any time ever reconveyed the lands known as the Selkirk Estate, or the District of Assiniboia, to the Hudson's Bay Company.

That even if the District of Assiniboia, had been re-conveyed to the Hudson's Bay Company, such re-conveyance would not deprive the rights or interests of retired servants acquired by them before or after such re-conveyance, Lord Selkirk could will only nine-tenths of the District of Assiniboia to his son Dunbar James Douglas, and as to ourselves, we who are the retired servants of the Hudson's Bay Company and the bona fide owners of the land have never signed away the right to our land in the remaining one-tenth part of the District of Assiniboia. Many of the retired servants of the Hudson's Bay Company received their land but there are many who have become entitled to free grants out of the said one-tenth, so expressly reserved for them in the

District of Assiniboia, who have never received the same.

I may mention here that in the year 1821, the North West Company of Montreal having formed a coalition with the Hudson's Bay Company the supernumeraries of these two companies were drafted as settlers in the Red River Colony, and from time to time after that, the retired servants of the Hudson's Bay Company of various grades, received their lands and made "The District of Assiniboia their Haven of Rest."

In dealing with this matter I am forced to cast some reflection on the Lordon/Stock-Holders of the Hudson's Bay Company.

As already stated, Sir George Simpson, one of the governors of the Hudson's Bay Company's Fur Trade, was made Attorney for the executors of Lord Selkirk in 1823. He died in 1860, thus acting as Attorney for a period of 37 years. It is said that the Chinese have a way of dwarfing a pine tree till it will grow inside a flower pot. Sir George Simpson tried a similar process with Lord Selkirk's settlement. His policy as chief administrator was not "for agricultural expansion", but he kept the farming community on as small an area of land as possible. While he expanded as far as he could in the District of Assiniboia, the Fur Trade interests of the Hudson's Bay Company, on the other hand, he dwarfed as much as he could the colonization interests of the executors of Lord Selkirk. Instead of giving to each retired servant of the Hudson's Bay Company the quantity of land promised in the deed of 1811, with a few exceptions only, he gave free grants of 100 acres, 50 acres, and frequently only 25 acres, thus keeping back from the retired servants of the Hudson's Bay Company the

actual quantity of land to which they were entitled. His usual manner of dealing with a person was as follows:—If it were a three chain river lot that was to be parted with, the Attorney would make the retired servant purchase half of the lot at about seven shillings and six pence per acre, and the other half of the lot he would give as a free grant, and this system was adopted by him for two reasons, (a) To keep the Colony from expanding and hurting the fur trade, and (b) To avoid having to treat with the Indians for more lands, which would lead to the enlarging and advertising of the Red River Settlement.

The writer saw the Red River Colony for the first time on the 5th October 1857. In that year a number of servants who had been employed in the Hudson's Bay Company's Fur Trade in Rupert's Land, were retiring, and these servants with their wives and families came up to the District of Assiniboia to receive the lands that had been promised to them in the one-tenth part of Lord Selkirk's estate. The writer belonged to one of these families. The Hudson's Bay Company's license to trade over this country which they had received from King George, Third in 1821, expired in 1858. In that same year a petition from the Red River Settlers was introduced by the Duke of Newcastle, in the British House of Commons, asking for a better form of Government.

In 1859-1860 another petition from the Red River Settlers to the Legislative Council and assembly of Upper and Lower Canada, was introduced, asking for annexation to Canada.

PUBLIC BOOKS.

During the 59 years that preceeded the transfer of this country to Canada, there were public books, such as

land registers, maps and other records, that belonged to the people of the District of Assiniboia. These books, maps, etc., were not the property of the Hudson's Bay Company.

There was one book which I shall deal with particularly, viz: Register Book A. This book contained:—

1. An authenticated copy of the deed of land from the Hudson's Bay Company to Lord Selkirk dated 12th June, 1811.
2. A map showing the lands deeded.
3. Copy of the treaty made by Selkirk with the Indians in 1817.
4. A map showing the lands ceded.
5. Copies of Lord Selkirk's two wills.
6. Letters probate from the Archbishop of Canterbury.
7. Power of Attorney to Robert Parker Pelly and Sir George Simpson, and other documents.

Register A. was carefully guarded by the officer who for the time being was Governor of Assiniboia. It contained Sir George Simpson's authority to administer Selkirk's estate. This book has been handed down from one Governor to another. The last Governor of Assiniboia who had charge of it was Governor William McTavish. The late Dr. Bunn has also guarded Register A. for Sir George Simpson. The knowledge of the existence of this book, its contents and the reason for its being guarded so closely was known to several of the retired servants of the Hudson's Bay Company who had become settlers in Assiniboia, and these old retired servants kept the secret just as closely as if it belonged to a Masonic fraternity.

I may mention here that along with the other public books of the country Sir George Simpson caused a new Land Register to be opened to be known as Register B. This book

was opened about the year 1842, in the time of Governor Finlayson. This register contained the entries of 1542 River Lots, and is now in the possession of the Hudson's Bay Company at Winnipeg.

Copies of Register B. were made for the Federal Government by the late Col. W. N. Kennedy and Frank Clarke, Esq. since 1870.

So much for the public books at present. We shall refer to them again.

After Sir George Simpson's death in 1860, there was no one in Assiniboia who could grant certificates for land to the retired servants of the Hudson's Bay Company.

And any sales or transfers of the lands mentioned in Register B. were attended to by Mr. John H. McTavish from 1860 to the year 1870.

However, the death of Sir George Simpson in 1860, caused a new departure for a short time, in the administration of the lands in Assiniboia. The Hudson's Bay Company could sell no lands as they had parted with that right in 1811. What *then* was ~~then~~ to be done for those who wanted lands outside of those mentioned in Register B.? Bishop Tache came to the rescue. In February

1860. Bishop Tache introduced a Homestead Law in the Government of Assiniboia, of which Government he was a member, and under this homestead law, many settlers took lands, and were protected in their right to them during the ten years that preceded the transfer of Rupert's Land, the North West Territories and the District of Assiniboia to Canada. A copy of this Homestead Law was placed on file in the Department of the Secretary of State by the late Governor Morris.

A NATIONAL BLUNDER.

On the 8th August, 1868, the fol-

lowing letter was sent from Downing Street, to the Governor General of Canada, Lord Monck:

"My Lord,—

I have the honor to transmit to you, for your Lordship's information, the enclosed copy of an act of Parliament, conferring powers for the surrender to Her Majesty by the Hudson's Bay Company of their territories and privileges.

In pursuance of the powers conferred by this Act of Parliament, I purpose to enter into negotiations with the Hudson's Bay Company as to the terms on which they will surrender their rights, and I shall not fail to keep your Lordship informed of the course of such negotiations."

The Act referred to is the Rupert's Land Act.

To which letter Lord Monck replied by cablegram, as follows:—

Quebec, 9th, Sept. 1868.

"Privy Council wish to send a delegation to London to take part in treaty with Hudson's Bay Company. They are anxious that negotiations with company should be postponed till arrival of delegates in London. Please inform me by cable how soon you will be able to receive them. They are prepared to go immediately."

MONCK.

"Colonial Office, 11th Sept. 1868

Delegates to advise with me on the arrangements between the Crown and the Company should start at once. I have appointment with Governor of Company for 18th, but will now conclude nothing until delegation shall have arrived."

BUCKINGHAM & CHANDOS

Quebec, 22nd September, 1868.

"Delegates intend to sail from hence October 3rd. They trust nothing will be concluded until their arrival in England, where they will be due about the thirteenth."

MONCK.

Under the authority of an Order in Council of the 1st October, 1868, Sir Geo. E. Cartier and Hon. Wm. McDougall were appointed a delegation to England to arrange the terms of the acquisition by Canada, of Rupert's Land and the North-West Territories. They proceeded at once to England to execute the important mission confided to them. During the whole of the negotiations with the stock holders of the Hudson's Bay Company nothing was said regarding the vast area of 74,555,520 acres that had been deeded by the Hudson's Bay Company to Lord Selkirk in 1811, and it was therefore, taken for granted by the Canadian delegates, that the lands around Hudson's Bay, and the lands now in Manitoba and Saskatchewan, were all held by the Hudson's Bay Company under the Charter of King Charles the Second, which was not the case.

The delegates in due time, concluded their arrangements with the Hudson's Bay Company and returned to Canada, and on the 17th May, 1869, Sir John Young, then Governor-General of Canada, laid a copy of the agreement entered into with the Hudson's Bay Company, on the table of the House of Commons. This agreement was ratified by Parliament and Parliament then passed "An Act for the Temporary Government of Rupert's Land and the North-West Territories when united with Canada." On the 29th September, in the year 1869 the Hon. Wm. McDougall was appointed, under the great Seal of Canada, Lieutenant-Governor of the North-West Territories, and shortly afterwards he proceeded in the name of the Dominion Government towards the North-West Territories, to govern us, a people who had our own lands, our own government, our

rights and our laws, "a people who were British subjects, proud of the privilege and jealous of the independence it affords."

On the 19th November, 1869, the Hudson's Bay Company executed a Deed of Surrender to Her late Majesty Queen Victoria, of all their rights assumed or otherwise, in Rupert's Land and the North-West Territories.

The following is an approximate statement of the lands in the District of Assiniboia, showing by whom they were owned on the 19th November 1869, the date of the Hudson's Bay Co's Deed of Surrender, viz:—

1. Lands claimed by the Hudson's Bay Company at Upper Fort Garry, and ratified by Canadian Parliament in May 1869 10 acres.
2. Lands claimed by the Hudson's Bay Company at Lower Fort Garry, and ratified by Canadian Parliament in May 1869 300 acres.
3. Lands owned by Roman Catholic and Anglican Churches, about 15000 acres
4. Grants and purchases, Kildonan settlers, about 12800 acres
5. Selkirk's grant to Chief Pequis, about 25 miles by 4 64000 acres
6. Lands purchased by retired servants from Attorney of Estate Sir George Simpson, about 152345 acres.
7. Homesteads taken up by settlers at different places in Assiniboia, about 10,000 acres.
8. Selkirk's heirs, balance left of nine-

tenths, about ... 66,845,513 acres.

67,099,968 acres

9. Free grants to retired servants by Sir George Simpson and Gov. McTavish, about ... 152,345

10. Retired Servants' lands, bal. left of one-tenth, about 7,303,207

7,455,552 acres

Total acreage of

Estate, ... 74,555,520 acres

It was out of these lands, the private property of British subjects, that in May, 1870, the Federal Parliament formed the little province of Manitoba, which contained about 13,908 square miles, equal to 8,901,120 acres, a trifle under one-eighth of the size of Lord Selkirk's Estate!

In dealing further with this land matter, I have to touch upon some of the events of the so-called Red River Rebellion of 1869-1870, and what followed.

In the month of October 1868. Mr. Snow arrived at Fort Garry. He came, under instructions of the Commissioner of Public Works, Ottawa, to open a road from the Lake of the Woods to the Red River Colony. His operations were not opposed by the people of the country, but the Hudson's Bay Company were not quite satisfied over the matter.

In the month of July, 1869, the writer was returning to the Selkirk Settlement from St. Cloud, in the United States, when, between Fort Abercrombie and Georgetown, he met Dr. John Christian Schultz, who was on his way to St. Paul. Our conversation turned to the subject of the

change that was about to take place in the country. We both felt that the Hudson's Bay Company in London had not acted fairly in concluding an arrangement with the Canadian Government without consulting the Red River people and Dr. Schultz predicted trouble in the country.

On the 20th of August, 1869, Col. Dennis arrived at Fort Garry. He was sent by the authorities at Ottawa to join Mr. Snow, who had been instructed to commence surveys for the Canadian Government. The surveys were begun at Oak Point, in a French Settlement. The settlers protested at having their lands surveyed differently from their original metes and bounds. Col. Dennis stopped operations, and reported to Ottawa, that the settlers were opposed to the new method of survey. On the 4th, October, 1869, Col. Dennis was instructed to "proceed with the surveys on the plan proposed," and he continued his survey on private property.

In the month of September, 1869, the Hon. Wm. McDougall was appointed Governor of Rupert's Land and the North-West Territories.

In the early part of the month of October, 1869, a very important meeting was held at the house of Mr. Thomas Sinclair, Senior, in the parish of St. Andrews, a few doors from where I lived. The meeting was held to discuss the situation of affairs in the District of Assiniboia. Mr. John Bruce and Mr. Louis Reil were present at the meeting.

Mr. Sinclair was a member of the Government of Assiniboia, a level headed man and a good citizen. The feeling of the few who had gathered together was, that Canada should be apprised in some way or other of the mistake that was being made

in bargaining for the lands that had been deeded away by the Hudson's Bay Company in 1811. It was suggested that Dr. Schultz would be a proper person to lead a movement that would bring the true knowledge of our position to the notice of the Canadian people, but when it was considered that for several years his paper, "The Nor-Wester," had been printing so much against the Hudson's Bay Company, it was thought that he would be *persona non grata* with the resident officers and retired servants of the Hudson's Bay Company, and might get only a very indifferent support. And, again, the time was too short to do much. The question of allowing Governor McDougall into the country when he arrived at Pembina was also discussed. There were two views on this question—One view was, to allow Governor McDougall to come into the country, but not to govern, but to acquaint him with all the facts connected with the District of Assiniboia, and that he be asked to report the true state of affairs to the Ottawa Government. The other view was, that Mr. McDougall be asked to remain at Pembina until the right to the lands of the settlers was guaranteed.

The meeting, however, decided nothing. There was only an exchange of ideas. While each one felt that something should be done to help the situation. No one decided what should be done. Mr. Sinclair was at that time very unwell and could not take an active part in the affairs of the country. He died a few months later, in March 1870, greatly regretted. In the mean time Governor McDougall arrived at Pembina, but was not allowed to enter the District of Assiniboia. While it is true that some of our people were offended be-

cause that a cut and dry Government was to be imposed upon them, that was not the true secret for opposing Governor McDougall's entry. No one in the country objected to Canadian rule, but the stock-holders of the Hudson's Bay Company had, as one of the conditions of the surrender of their rights to the Imperial Government, arranged with Canada for a large land consideration, viz: the one-twentieth of the lands of Assiniboia, which the people of the country felt and knew did not belong to that Company, and the French decided that only by force of arms, would the District of Assiniboia be taken from them:— unless, that Canada would break the bargain made by the Hudson's Bay Company affecting the lands of Assiniboia, and also guarantee titles to every description of property. A Council of French people was formed at Riviere Salle about the end of October, 1869. John Bruce was president, and Louis Riel was secretary. Under the direction and authority of this council, the French took up arms and Upper Fort Garry was taken by them on the 2nd of November 1869.

On the 23rd November, 1869, the English-speaking people of Assiniboia, sent 12 delegates to confer with the French to consider the political state of the country. On that occasion Mr Louis Riel informed our delegates that the French had seized and taken over all the Public Books and Records of the Government of Assiniboia, and also declared the intention of forming a provisional government. (Note this fact regarding the Public Books.)

On the 24th November, 1869, the first Provisional Government was formed in Fort Garry, with John Bruce as president and Louis Riel

as secretary. This was a government of the French only.

On the 1st of December 1869, Governor McDougall crossed the frontier and posted up a proclamation at Pembina assuming the office of Governor of the country. On the same date Governor McDougall, posted up a second proclamation, appointing John Stoughton Dennis as his Lieutenant and conservator of the peace in and for the North-West Territories, and vesting him with authority to "raise, organize, arm, equip and provision a sufficient force within the said territory, and with the said force to attack, arrest, and disperse armed men unlawfully assembled." Along with about 200 men the writer, in December, 1869, enrolled under Col. Dennis and was sworn in as one of Her Majesty's volunteers in the North-West Territories, for the purpose of putting down the French, and bringing Governor McDougall to Fort Garry. These volunteers drilled for a time at Lower Fort Garry. They were to be paid \$2.00 a day by Canada, as soon as peace was restored, and Canadian money secured. Without saying good-bye, paying or discharging his men, Col. Dennis secretly took his leave, and we have not seen him since. Sometime between the 8th of December, 1869, and January 1st 1870, Mr. Riel became president of the First Provisional Government. It was this government that was holding possession of Upper Fort Garry. When Donald A. Smith, Governor of the Hudson's Bay Company and High Commissioner for Canada, arrived in the country, (I may mention here that, the Chief Factors, Chief Traders and Chief Clerks of the Hudson's Bay Company were greatly annoyed at the stockholders in Lon-

don, over the bargain that had been made with Canada, inasmuch as they, the stock-holders only, were getting the one-twentieth of the lands and also the whole of the purchase money viz: £300,000, Sir Donald A. Smith managed to satisfy the chief factors and Chief Traders for the time being.

Riel and the French were the next persons that the High Commissioner had to deal with. The French contended that the stock-holders of the Hudson's Bay Company in London, could not legally sell, nor surrender the District of Assiniboia to Canada, inasmuch as the Hudson's Bay Company had no title to the lands in Assiniboia.

The Commissioner then invited the French to place their wishes before the authorities at Ottawa. Riel pointed out to the Commissioner that while the English and Scotch inhabitants of the country were not satisfied with the bargain made between the Hudson's Bay Company and Canada, he (Riel) did not have their support, as he had with the French, been obliged to take up arms against those who were invading the country, and had also imprisoned those in the country who had opposed the French. He also pointed out that unless the people were united in asking Canada for the rights they desired, they would not be heard.

The High Commissioner then agreed to do what he could to cause the English and Scotch residents of the country to unite with the French, in asking for an acknowledgment of their rights from Canada.

It was therefore under the persuasion and advice of the High Commissioner for Canada that the English and Scotch joined with the French in asking for their rights from Canada, and in forming a second Provisional Government.

On the 19th of January, 1870, Sir

Donald A. Smith addressed a mass meeting in Fort Garry, at which he guaranteed to the people of this country in the name of Canada, all the rights and privileges that were given to the other provinces, if they would only consent to enter the Confederation of Canada. At the conclusion of the meeting Mr. Louis Riel moved, seconded by Mr. A. G. B. Bannatyne, "That 20 representatives shall be elected by the English population of the Red River, to meet 20 other representatives of the French population, on Tuesday, the 25th instant, at noon, in the Court House with the object of considering the subject of Mr. Smith's commission, and to decide what would be best for the welfare of the country." The 40 delegates were duly elected and these met in the Court House near Fort Garry on the 25th January, 1870. The convention sat fifteen days. On the third day of the meeting a committee consisting of Thomas Bunn, James Ross, Dr. Bird, Louis Riel, Louis Schmidt and Charles Noliu was appointed to draft a "Bill of Rights," which was to be submitted to Sir Donald A. Smith, High Commissioner, for Canada.

The Committee reported the Bill of Rights on the 29th January, 1870, and it was taken up by the Convention, clause by clause, and discussed until the 5th February, when it was fully adopted. The convention then adjourned until the 7th of February, 1870, when the Canadian Commissioner, Sir Donald A. Smith gave his reply to the Bill of Rights, and invited delegates to go to Ottawa and consult with the Government there. On the 8th February 1870, the question of sending a delegation to Ottawa was taken up by the Convention. This led to the discussion of recognizing and reorgan-

izing the Provisional Government, before the delegates to send to Ottawa with the Bill of Rights now agreed upon, were appointed. A committee was then appointed by the Convention "to discuss and decide on the basis and details of the Provisional Government which we have agreed is to be formed for Rupert's Land and the North-West Territories."

On the 9th February, 1870, the committee recommended to the Convention the advisability of creating a Legislative Assembly to be composed of twenty-four members, twelve English and twelve French, and a Cabinet to be constructed as follows:—

President.—Louis Riel, Esq.

Judge of Supreme Court.—James Ross, Esq., M. A.

Sheriff.—Henry McKenny, Esq.

Coroner.—Dr. Bird.

Postmaster General.—A. G. B. Bannatyne, Esq.

Collectors of Customs.—John Sutherland, Esq; Roger Goulet, Esq.

Secretary of State.—Thomas Bunn, Esq.

Assistant Secretary of State.—Louis Schmidt, Esq.

Secretary of the Treasury.—W. B. O'Donohue, Esq.

This was the second Provisional Government, formed, after the people had united, from representatives of English, French and Scotch.

On the 10th February, 1870, a ballot was taken in the convention for delegates to Canada and resulted in the election of Reverend J. N. Richot, Judge Black, and Alfred Scott.

In dismissing the convention, Riel said: "The First Provisional Government assumes the full responsibility for all its acts." Meaning by this:—

- (1) Taking up arms.
- (2) Keeping Governor McDougall out

of the country.

(3) The occupation of Upper Fort Garry by the French.

(4) Imprisoning certain persons.

With these four things the English and Scotch had nothing to do.

Two men were now extremely happy. Sir Donald A. Smith, that he had managed so far to protect the stock-holders in London in their bargain with Canada; and Louis Riel, in believing that with the help of the whole community now united, he would be able to defeat the purpose of the stockholders, and to break their bargain with Canada, so far as it affected the District of Assiniboia.

On the 23rd January, 1870, Dr. Schultz made his escape from the prison at Fort Garry, and on the 15th February, 1870, he was joined at Kildonan Church and School, by a force of about 600 armed men. The writer was one of those who took up arms on this occasion under Dr. Schultz, and Major Boulton. The object of this uprising was to release the prisoners in Fort Garry. A dispatch was sent to Riel by our Council of War, and after waiting about 12 hours for a reply, 83 prisoners were released in the evening of the 16th February, after having been sworn to keep the peace.

It was during our halt at Kildonan Church that Sutherland was killed on the 16th February, 1870, and that Parisieu received his death wounds, from which he died a few days afterwards, and 16 days after the death of Sutherland, on the 4th of March, 1870, Thomas Scott was shot outside the walls of Fort Garry.

On the 22nd March, 1870, Commissions and Letters of Instruction were issued by the Secretary of the Provisional Government Mr. Thomas Bunn, to Rev. J. N. Richot, Judge Black and Mr. Alfred Scott, the delegates to Ottawa, and on the 23rd., of March, 1870, these delegates

started for Ottawa, carrying with them our Bill of Rights, which contained the terms under which we would consent to enter the Confederation of Canada.

I shall only deal with three clauses of our Bill of Rights:—

Clause 1 reads as follows:— "That the Territories heretofore known as Rupert's Land and the North-West, shall not enter into the Confederation of the Dominion, except as a province, to be styled and known as the Province of Assiniboia, and with the rights and privileges common to the different Provinces of the Dominion."

Clause 10 reads as follows:—

"That the bargain of the Hudson's Bay Company, in respect to the transfer of the Government of this country to the Dominion of Canada be annulled, so far as it interferes with the rights of the people of Assiniboia, and so far as it would affect our future relations with Canada."

Clause 11. reads as follows:—

"That the local Legislature of the Province of Assiniboia shall have full control over all the public lands of the Province, and the right to annul all acts or arrangements made or entered into with reference to the public lands of Rupert's Land and the North-West now called the Province of Assiniboia."

The writer has had several conversations with three of the gentlemen who drew up the Bill of Rights that was sent to Ottawa in 1870, viz: James Ross, M. A., Gold Medalist, of Toronto University, Curtis J. Bird, M. D., and Thomas Bunn, Secretary of the Provisional Government.

What was the object to be attained by embracing in one province the whole of Rupert's Land and the

North-West Territories as asked for in clause 1.?

Why did we ask in clause 10 that the bargain made with the Hudson's Bay Company be annulled?

And why in clause 11, for the control of the public lands?

Because, it was felt by those who drew up the Bill of Rights, that while the District of Assiniboia, Lord Selkirk's Estate, which contained 74,555,520 acres was quite large enough for a province, yet, as nearly the whole of this area was held by private individuals, there were no public lands to give to incoming settlers, and no lands available for public purposes. It was, therefore, decided to include the whole country into one province, believing that the time would very soon come when things would adjust themselves. It was also felt, and very strongly, that the bargain made between Canada and the Hudson's Bay Company interfered with the rights of the people of the District of Assiniboia, Lord Selkirk's Estate, and if the bargain were allowed to stand, it would always affect our future relations with Canada, and Clause 10, in our Bill of Rights, deals entirely with the old District of Assiniboia.

As to the control of the public lands asked for in clause 11, we were assured by the High Commissioner, for Canada, when invited to enter the Dominion of Canada, that we would have the same rights and privileges in Confederation as Her Majesty's Government had given to Ontario, Quebec, Nova Scotia and New Brunswick.

By the time our delegates arrived at Ottawa, the whole of Canada was in a state of fermentation. The news of the unfortunate deaths of Sutherland, Parisieu and Scott, together

with the knowledge that Canadians and others, were being imprisoned at Fort Garry so exasperated the Eastern people that our Bill of Rights did not receive the careful consideration we expected for it, and especially as we had the audacity to ask the Government of Canada that the bargain that they had made and ratified by their parliamentarians with the Hudson's Bay Company be annulled so far as it affected the District of Assiniboia, and the future of every person who would live within that area. That settled things. A bill was very hurriedly put through Parliament, known as the Manitoba Act, by which a little Province was formed out of part of Lord Selkirk's Estate, containing about 8,000,000 acres and the Wolseley expedition was then sent up to this country, not to fight Louis Riel and the French, but to take possession of the lands that Eastern Canada believed then, and now, that they had justly acquired from the Hudson's Bay Company, and we had to be content with what we got.

We now come back to the public books of the Government of Assiniboia. These books had been in the possession of Louis Riel and the French from the 23rd November, 1869, to the 24th August, 1870, the day that Sir Garnet Wolseley entered Fort Garry.

It was the intention of Riel to hand over personally to Sir. Garnet Wolseley all the public books and records of the country, but as Riel was so well assured by his friends that he would receive no protection from Sir Garnet Wolseley, he left Fort Garry and all the public books and records behind him, just a few minutes before Wolseley's troops took possession. During the short time that elapsed while Riel was leaving the

Fort and the troops were entering it, Mr. John H. McTavish, Chief Accountant of the Hudson's Bay Company gathered up all the most important books, maps and records and hid them away, and the Canadian Government afterwards received such records only, as would not hurt the bargain that had been made with the Hudson's Bay Company.

Governor Archibald in due time called the First Manitoba Legislature together for the dispatch of business.

In his first speech from the throne, Governor Archibald said: "I regret to have to inform you that the original plans of Survey have been lost within the last year. Happily a copy has been found, which appears to have been made with great accuracy. It will be desirable to prevent the mischief which would arise from the loss of the original plan by giving to the copy, till the original is discovered, the same validity as if it were the original. Your attention will be invited to a measure for this purpose."

On the 28th September, 1870, a petition was presented to Governor Archibald and his Council, by the old residents of St. Andrews, St. Peters, St. James, Kildonan and Headingly, asking the new Government of the country to enquire into the causes which led to all the troubles of 1869-1870, and indicating their wishes in reference to certain matters arising out of these troubles.

To this petition a reply was given in the form of a rebuke, on the 30th of September, 1870, and signed by A. Boyd, Provincial Secretary.

On the evening of the 25th August, 1886, Sir John A. Macdonald addressed the citizens of Winnipeg in Holy Trinity Hall. Sir John Mac-

donald told the people why the Federal Government was disallowing Charters for branch lines of railways running from the Main line of the C. P. R., into American territory. He also spoke of the splendid bargain that had been made when Canada bought this country from the Hudson's Bay Company, and told his audience that the value of one block of land in the City of Winnipeg was all that had been paid to the Hudson's Bay Company for the whole country.

At the close of the meeting the Hon. John Norquay asked me to reply to Sir John A. Macdonald by letter, to that part of his speech dealing with the purchase of this country, which I did, and I received the following letter:—

Earnscliffe, Ottawa.

Sept. 21st, 1886.

Dear Sir:—

"Absence from home prevented my answering your interesting letter of August 30th before. Whatever may have been the original position or ownership of the Hudson's Bay Company, it is certain that their title was recognized by the Imperial Statute which enabled Canada to acquire their rights, and the Canadian Government must deal with the company from this point of view.

In haste, believe me,

Yours faithfully,

John A. Macdonald."

James Taylor, Esq.

Winnipeg.

To which I replied as follows:—

Winnipeg, Sept. 28th, 1886.

Dear Sir:—

"Referring again to your letter of the 21st instant, I have to say in regard to our lands, that coming in between the charter of the Hud-

son's Bay Company, and the Imperial Statute to which you refer, there is another title to an immense tract of land which has not been considered by the Imperial Government. And between the Canadian Government and the people of this country, the same title intervenes, and still holds good.

I hope in the near future to be able to send you a copy of the title.

I have the honor to be, sir,

Your obedient servant,

JAMES TAYLOR.

The Hon. Sir John A. Macdonald,
Ottawa.

To which letter I received no reply.

Before the death of the late Mr. Thos. Bunn, he informed me that the principal records of the country had been saved by Mr. J. H. McTavish, and were being safely protected by him for future use, and advised great caution as to how I approached Mr. McTavish on the subject. I need not hardly add that I have taken the greatest precaution in approaching Mr. McTavish, and have, after several years been successful in discovering Colony Register A, and also receiving information regarding all the other books and records of the District of Assiniboia.

When I opened the subject to Mr. McTavish, he told me how the books and records had come into his possession. He also said that he had lent Register A. on one occasion to Governor Morris, and that the book was now at Government House, Winnipeg, in possession of Governor Schultz. For other books, maps and records, he advised me to write to Sir Donald A. Smith. When I asked Governor Schultz to allow me to see Register A, he hesitated, and then promised to let me see it some time later on. I waited a considerable time, when one day I received the following letter:

(Private)

Manitoba and Keewatin Government House,

Winnipeg, 17th Dec., 1888.

Dear Mr. Taylor:—

Wednesday (first) evening at 7 p.m. The book you would like to look over will be at your service at 9 p.m. and any notes or copy you wish to make can be made.

With best wishes in which Mrs. Schultz joins,

Believe me,

Yours very truly,

John Schultz.

Jas. Taylor, Esq.

Winnipeg,

And so Register Book "A", that we had been searching for, for years, was placed into my hands by Governor Schultz in December, 1888, eighteen years after the transfer of this country to Canada. I set to work at once to make a copy of Register A., for my own use, photographed the maps, and then returned the Register on the 27th March, 1889, to Governor Schultz. I might say here, that the maps of the first surveys of the Red River Colony have never been used by the Federal Government so far as we are aware, and many of the original settlers have not been able to this day to secure patents for the lands that they brought with them into Confederation, but have been deprived of their lands, mainly on account of the loss at the time of the transfer, of their public books and official maps of the District of Assiniboia.

The question will be asked, by the reader of this pamphlet, has anything ever been done by any person or persons, since the transfer, with regard to the retired servants' claim to the one-tenth part of Lord Selkirk's estate, to try to have the matter settled? My answer is "Yes". On several occasions this claim has been included along with other claims

that have been presented to the Federal Government, but we were always handicapped on account of not being able to show documentary evidence as to how our titles originated. We could only tell the Government that our claims were valid and just. On the other hand the Ottawa government could do nothing for us, inasmuch as they were not in possession until very recently of the original titles to our lands. In adjusting our land claims in the past in the Selkirk Estate, the Government have confined themselves, nearly altogether to the copy of survey, that had been handed to Governor Archibald by the late Mr. J.H. McTavish, and also to Register B., already referred to, so that while many of us have been the losers, the Canadian Government are not altogether to blame in refusing to recognize our claims without seeing the proper proofs. However, the case is different now. Six years ago, in 1900, the Federal Government were put in possession of authenticated copies of the original titles to lands in the District of Assiniboia. So that we are now in a position to place our claims before the Government accompanied by evidence that is indisputable.

Referring again to the question, Has anything ever been done in the matter of the claim of the retired servants of the Hudson's Bay Company?

The following attempts have been made to find our lost books and other records and to prove our claims.

1. Reference has already been made to a petition sent to Governor Archibald in 1870. Had Governor Archibald appointed a Commission to enquire into the causes that led to the troubles of 1869-1870, this claim of the retired servants of the Hudson's Bay Company to the one-tenth of

Selkirk's Estate, along with others that would have opened up, would have been clearly proven.

2. On the 27th March, 1884, the late Hon. J. Norquay, at that time Premier of the Province of Manitoba, presented to the Manitoba Legislature, a petition from several of the old inhabitants of the country. The prayer of the petition read as follows:

"That your Honorable House authorized the handing over of all the books and papers, the property and records of the past governments of this country.

That your Honorable House allow the appointment of a committee of investigation to be composed of twelve persons as follows, viz.

Hon. J. Norquay,
Hon. Mr. LaRiviere,
Thos. Greenway, M.P.P.,
A. C. Killam, M.P.P.,
J. Ward, Esq.,
F. R. Gemmell, Esq.,
E. P. Leacock, Esq.,
Capt. W. Kennedy,
P. Delorme, Esq.,
J. Martin, M.P.P.,
P. Thibert, Esq.,
J. Taylor, Esq.

That the said committee of investigation be empowered to summon witnesses to ask for books and papers, and to make such enquiry into the past history of this country as shall be deemed advisable and necessary by the committee.

That in the execution of their duties the committee of investigation to have full powers.

That upon completion of its work, the committee to report to the local Legislature at its next meeting."

3. In November, 1886, the Hon. J. Norquay wrote a special letter to the Minister of Interior dealing with all our claims to lands, the retired

servants' claim being included, and then sent me the following letter:

Winnipeg, 15th Nov., 1886.

My dear Mr. Taylor,—

I have to acknowledge the receipt of your favor of the 30th October. I notice you have been interesting yourself in the claims of old settlers. I have just written to the Minister of Interior practically the substance of what I see was adopted by you and several others in the shape of a memorial. You can reckon on my doing everything in my power to assist in bringing this vexed question to a satisfactory conclusion.

Yours Sincerely,

JOHN NORQUAY.

4. At the impending election in 1887 for the House of Commons, Professor G. Smith, A. W. Ross, Esq., and A. A. Macarthur, Esq., were mentioned as candidates for the county of Lisgar. The writer was very strongly urged to become a candidate for the same county. After two interviews with Mr. Ross at which several claims with the claim of the retired servants of the Hudson's Bay Company were fully discussed, the writer agreed to give his influence and support to Mr. Ross, provided Mr. Ross would undertake to champion these claims in the House of Commons. Whereupon Mr. Ross sent the following letter to our committee.

Winnipeg, Jan. 24th, 1887.

To Mr. J. R. Bunn, Secretary Old Settlers Central Committee.

Sir:—As a result of an interview between Mr. J. Taylor, Chairman of the above mentioned committee and myself, I beg to make the following promise and request that you will at the earliest moment advise your committee of this action. In the matter of the petition now being circulated and signed by the people having un-

settled claims and grievances requiring attention to be submitted to the Governor General in Council, praying for some settlement of the same: In the event of the petition not receiving the prompt attention it is obvious it requires, I hereby pledge myself, if elected to represent the county of Lisgar in the House of Commons, that I will introduce this petition for discussion on the floor of the House of Commons, and further that I will not abstain from bringing this matter up in such a way as will eventually cause some definite action to be taken, and that I will persistently represent the necessity of the same, feeling, as I do, the equity and justice that is really denied these people by keeping these questions so long unsettled. And further, that I will not conclude any arrangements with the Government in connection with the petition without first consulting the chairman and secretary of the said committee.

I am, yours truly,

A. W. ROSS.

5. On the 11th Feb., 1887, the petition referred to in Mr. Ross' letter, and measuring forty-nine feet in length, was forwarded to the Hon. the Secretary of State.

6. In 1887, the Legislature of Manitoba drafted an address to the Governor General in Council, asking for a Royal Commission to settle all claims, the retired servants' claim being included.

7. On the 15th May, 1888, a committee appointed by the Manitoba Legislature received a delegation of 30 persons from different parts of the old colony at which the claim of the retired servants of the Hudson's Bay Company was discussed along with other claims.

8. In September, 1888, the Hon. J. Norquay in Parliament, reminded the

Government that the committee appointed by the Legislature had recommended that a Royal Commission be appointed composed of parties acquainted with the position of affairs to be investigated. The Hon. Mr. Greenway, Premier, replied that the Government intended taking it up at the earliest possible moment, and complying with the request of the committee.

9. A resolution of retired servants and others, passed at a meeting held in Winnipeg on the 19th January, 1887, was sent to Robt. Watson, M. P., Ottawa, with list of claims attached. The 14th claim on the list was the claim of the Retired Servants of the Hudson's Bay Company.

10. On the 2nd February, 1889, I wrote to Sir Donald A. Smith as follows:—"We have also to ask that you will be good enough to advise that the Hudson's Bay Company hand over to the Government of Manitoba for our benefit all public books, maps, and other records, the property of the Government of the Council of Assiniboia. As without these records we labor at great disadvantage when attempting to get patents for our lands. The late Mr. J. H. McTavish promised that he would write you on this subject."

On the 20th February, 1889, Sir Donald A. Smith replied from Montreal saying: "that he always took a great interest in our welfare and would be glad to support any matter presented by us to the Dominion Government, in any way he could possibly do." He said nothing, however, about public books and records. On the 6th March, 1889, I addressed a letter to Sir Donald A. Smith, at Silver Heights, asking to be allowed an interview with him, and on the 8th March, 1889, Sir Donald A. Smith asked me to call on him at

11.30 a.m. tomorrow, at the Hudson's Bay Company's Land Department, Winnipeg, which I did. We discussed several matters. I pointed out to him how that so many of us had not received patents for our lands in Manitoba, because we lacked the books, maps and records of the country, to help us to prove our titles. Sir Donald said, "Riel stole your maps and records." I said "No, when Riel left the fort our public books fell into the hands of Mr. J. H. McTavish and the High Commissioner for Canada. (Sir Donald A. Smith) Sir Donald then asked me to send him a copy of the petition that had gone to the Secretary of State, on the 11th February, 1887, and promised to do all he could for us in Ottawa. I then called his attention to the manner in which my grandfather, the late Wm. Mackay, had been promised a free grant of land in the one-tenth part of Selkirk's Estate and had not received it and that there were many other retired servants who were equally entitled, that have never received their grants, myself among the number. He then asked me to write him full particulars of all these matters.

On the 15th March, 1889, I sent Sir Donald A. Smith all the information he had asked me to prepare for him, and also wrote the following: "Regarding the belief held among so many persons, and which I find is held by yourself, viz: that Riel destroyed the books, maps and records, I have now the honor to ask you to be good enough to accept from me copies of two maps that I am sending by express, showing the foundations of our titles to lands in the Selkirk Estate. Documents proving the authenticity of these maps can also be furnished if you wish to have them. I might say here that in 1889

Ex-Governor Morris compiled a book showing the different treaties that Canada had made with the Indians, and dedicated the work to the Earl of Dufferin. In that book there is a full copy of the Selkirk Treaty and a map of the lands ceded. There is also a portion of the deed given by the Hudson's Bay Company to Lord Selkirk in 1811, a very small portion however, the larger portion of the deed is kept out of print. The map of the country deeded by the Hudson's Bay Company is also kept from the public. The map of Selkirk's estate that I am sending you should have appeared in Ex-Governor Morris' book."

11. On the 8th April, 1889, Mr. R. Marion, M. P. P., when starting for Ottawa carried with him a list of all the claims, and handed them to the Minister of Interior when arriving at Ottawa. The 14th claim in this list was that of the retired servants of the Hudson's Bay Company.

12. A letter was sent by the Old Settlers Committee to the Minister of Interior in April, 1889, with the list of claims, the retired servants claim included, letters and lists of these claims were sent at the same time to Sir D. A. Smith and R. Watson, M. P. P.

13. A petition was sent to the Minister of the Interior in June, 1889, signed by French and English inhabitants asking for the appointment of a commission to settle this and other claims.

14. In the month of July, 1890, the writer interviewed the Hon. E. Dewdney at Ottawa, three interviews were held discussing the various claims, the retired servants claim to the one-tenth part of Lord Selkirk's Estate was fully discussed, the writer having with him a copy of Colony Register A. It was the first

time the original titles had been seen by the Deputy Minister, Mr. A. M. Burgess, and to his great surprise although he expressed no desire to get them.

15. On the 6th March, 1905 a memorial was sent to Sir Wilfrid Laurier, asking him to provide for grants of land to the retired servants of the Hudson's Bay Company and their descendants, in the Autonomy Bills creating the Provinces of Saskatchewan and Alberta. Sir Wilfrid Laurier gave a very kind reply on the 21st April, 1905.

16. On or about the 16th June, 1905, a petition to his Excellency the Governor General and Council was sent to Mr. Lamont, M.P., Ottawa, for presentation. This petition was handed to the Minister of the Interior at Ottawa.

When Governor Schultz handed me Register A. in Government House, Winnipeg, he asked me not to give publicity then, to the facts concerning the true ownership of the lands in the old District of Assiniboia. I questioned the reason, the Governor told me that "the Canadian Government had made a terrible blunder in the way they took over the District of Assiniboia and it would never do for it to be known that as a servant of the Government I have handed you this powerful weapon." Governor Schultz also pointed out other very substantial reasons for maintaining silence at that time, which I need not mention now but which I have carefully guarded. Since coming to reside in Saskatchewan on the 13th April, 1899, I drew the attention of the Hon. J. A. Smart, then Deputy Minister of the Interior to the great value of Register Book "A." I informed him that "the book was at Government House, Winnipeg, that there is a copy in London, England, another in Edinburgh, and I

have a copy, I may add that this register was on file in the Red River Colony before the year 1823. It is most important to have Register "A" or a copy of it placed in the Department of the Interior at Ottawa."

After some further correspondence on the subject, I was informed on the 7th of February, 1900, "that Register "A" had been transcribed by a member of the staff in the Dominion Lands Office, Winnipeg, and a full copy of all its contents sent to the Department of the Interior, Ottawa, and I have to thank you for the information you have so kindly given on this subject."

And thus it took thirty years from the date of our entry into confederation to be able to place in the hands of the Federal Government at Ottawa the proofs as to our rightful ownership to part of the lands in the District of Assiniboia, commonly known as Lord Selkirk's Estate.

What then have we to say as retired servants of the Hudson's Bay Company, and what is the object of our petition to the Parliament of Canada at this time?

Simply this:—That out of the 7,455,552 acres of land reserved for the retired servants of the Hudson's Bay Company under the deed from the Hudson's Bay Company to the Earl of Selkirk on the 12th of June, 1811, and reserved for no other use intent or purpose whatsoever, only about 152,345 acres of land have been granted to said retired servants, leaving a balance of about 7,303,207 acres to be yet distributed among the retired servants and their descendants, and we ask that these lands be now distributed among the retired servants and their descendants and also the present servants of the Hudson's Bay Company and their descendants. It

may not be considered reasonable to attach any blame to the Government of Canada for the serious blunder that was made in the purchase they claim to have made from the stockholders of the Hudson's Bay Company of the 74,555,520 acres of the Selkirk Estate, before examining the title; but now that the proof is before them, we trust that we shall be allowed the lands that so justly belong to us, and we wish to be clearly understood that in the adjustment of our claims, no one who is now a settler, in the old District of Assiniboia must be disturbed in his possession or his patent set aside.

Have we any guarantees that the Federal Government is in duty bound to secure this property to us? We have.

1. On the 6th December, 1869, we were assured by the late Queen Victoria's Proclamation issued over this country:—"That all your civil and religious rights and privileges, shall be respected, your properties secured to you."

2. On the 16th of February, 1870, Sir John Young, then Governor General of Canada, instructed his Grace Archbishop Tache to give us the following assurance:—

"All who have complaints to make, or wish to express are called upon to address themselves to me as Her Majesty's Representative and you may state with the utmost confidence that the Imperial Government has no intention of acting otherwise than in perfect good faith towards the people of the North West. In declaring the desire and determination of Her Majesty's Cabinet, you may safely use the terms of the ancient formula, "Right shall be done in all cases."

3. The Manitoba Act guarantees patents to lands that have been granted by the license and authority

of the Hudson's Bay Company, whether in fee-simple or freehold or less than freehold. The one-tenth of Lord Selkirk's Estate was set apart for us by a deed under the license and authority of the Hudson's Bay Company in 1811.

One word regarding the Manitoba Act. The Manitoba Act was passed in the Federal House of Commons on the 12th May, 1870—just two months and three days before this country was transferred to Canada. Doubts existed as to the validity of the Act—and so in order to set the matter at rest, the British House of Commons passed an Act on the 29th of June, 1871, which gave the required validity to the Manitoba Act.

And one word as to the transfer of this country to Canada.

By Order of the Imperial Privy Council at the Court of Windsor on the 23rd June, 1870, it was declared that Rupert's Land and the North West Territories should become part of Canada, on the 15th July, 1870. Accordingly on the 15th July, 1870, this country became part of the Dominion of Canada.

4. At Ottawa, on the 23rd of May, 1890, I submitted in writing a large number of claims including the retired servants claim, to the Minister of the Interior, which were afterwards discussed by us, at three interviews Mr. Burgess being also present. In dealing with the claims, I wrote the Minister as follows:—

"The several modes of acquiring lands before the transfer were:—

1. By purchase from Lord Selkirk.
2. By grants from the one-tenth part of Lord Selkirk's Estate, reserved for that purpose by the deed of 1811.

3. By purchase from Chief Peguis.

4. By the Homestead Law of Assiniboia.

Lord Selkirk's titles to lands on the Red and Assiniboine Rivers are in our possession and also maps of his property."

At the end of the third day the Minister informed me that the Department would consider the claims more fully and give a reply in writing. I then left Ottawa and on the 11th June, 1890, I received a letter from the Deputy Minister of the Interior in which he wrote as follows regarding the Manitoba Act:—

"All modes of acquiring lands before the transfer mentioned in your letter would appear to be covered by the provisions of the Manitoba Act, except purchases from the Indian Chief Peguis."

Have we anything to show that Sir George Simpson, Attorney for the Selkirk executors ever gave retired servants of the Hudson's Bay Company free grants of land in the Selkirk Estate?

Yes. We still have a few of Sir George Simpson's Certificates for lands given gratuitously to retired servants of the Hudson's Bay Company. But besides the certificates that we hold, the writer has to say that when he was Deputy Registrar for the County of Lisgar, it was his privilege to examine applications made for patents by old residents and in many instances the settler produced a certificate for lands that had been given by Sir George Simpson, free of charge, and this certificate was sent to Ottawa along with the application for a patent from the Crown.

The late Thomas Sinclair, Esq., Registrar for Lisgar and also the late Colonel W. N. Kennedy, Registrar for Selkirk, have handled several of the certificates of Sir George Simpson in the same way. These certificates should be on file in the

1890.

Department of the Interior at Ottawa

Register "B." a copy of which has been in Ottawa for many years, shows many free grants of land to retired servants of the Hudson's Bay Company.

All honor to Mr. John H. McTavish for protecting Colony Register A. for our use and benefit, and for helping us as far as he could under the circumstances.

I shall now conclude by trusting that this short history of the claim of the retired servants of the Hudson's Bay Company will meet with the approval of the committee whose

wishes I have endeavored to carry out.

And that our parliamentarians in the Federal House of Commons, and in the Legislatures of Manitoba and Saskatchewan will examine most carefully all the titles connected with this matter, commencing from the 12th June, 1811, and after having done so, will then deal with us according to Her Majesty's promise—"in the spirit of British justice."

JAMES TAYLOR,

Chairman.

Prince Albert,

November 15th, 1905.

NOTE.

All persons receiving this pamphlet will oblige by acknowledging receipt of same to James McKay, Esq., K.C., Secretary, Prince Albert, Sask.

As it is important that we should have the names of persons who are claimants to the lands mentioned in this pamphlet, it would greatly facilitate matters if the following form were filled in by such claimants.

Cut out along this line and down side.

FORM.

Name

Present P.O. Address.....

Province.....

Place of service with Hudson's Bay Company

.....

Length of time in service.....

This form may also be filled up by representatives of retired servants of the Hudson's Bay Company, setting forth their claims.

